

Dear Committee Members:

Our proposed amendments to the current draft are underlined below.

7 Sec. 1. 10 V.S.A. §§ 5008 and 5009 are added to read:

§ 5008. HUNTING COYOTES WITH AID OF DOGS; PERMIT

(a) No person shall pursue a coyote with the aid of dogs, either for training or taking purposes, without a permit issued by the Commissioner.

(1) The Commissioner may deny any permit at the Commissioner's discretion.

(2) The Commissioner shall not issue a permit to any person found to have violated Title 10, Part 4 of the Vermont Statutes or any rule of the Fish and Wildlife Board, or any person convicted of an offense under Title 13, Part 1, Chapter 3, Subchapter 1 of the Vermont Statutes.

(3) The Commissioner shall not issue a permit to any person who fails to provide proof of vaccination against rabies and distemper for all dogs in the possession of the applicant.

(4) ~~The Commissioner shall not issue more than 100 permits annually.~~
number of permits that the Commissioner issues annually shall not

exceed the average number of Game Wardens employed in the preceding fiscal year.

(5) The number of permits that the Commissioner issues to nonresidents in any given year shall not exceed 10 percent of the number of permits issued to residents in the preceding year. The Commissioner shall establish a process and standards for determining which nonresidents are to receive a permit, including who will receive a permit if there are more nonresident applicants than nonresident permits.

(6) A nonresident may train dogs to pursue coyote only while the training season is in effect in the nonresident's home state and subject to the requirements of this part and rules adopted under this part.

(b) (1) The Commissioner shall issue permits under this section to a resident for a fee of ~~\$50.00~~ \$100.00.

(2) The application fee for a nonresident permit issued under this section shall be \$10.00, and the fee for a nonresident permit issued under this section shall be \$200.00 for a successful applicant.

§ 5009. PURSUING COYOTE WITH AID OF DOGS; LANDOWNER PERMISSION

(a) A person shall not release a dog onto land, whether the land is posted in accordance with section 5201 of this title or not posted, for the purpose of

pursuing coyote with the aid of dogs unless the dog owner or the handler of the hunting dog has obtained a courtesy permission card from the landowner or landowner's agent allowing the pursuit of coyote with the aid of dogs on the land.

(b) A person shall not release a dog onto land for the purpose of pursuing coyote with the aid of dogs if in the previous 365 days a dog had been previously found on the land, and the dog owner, a handler of the dog, or person participating in the hunt has been personally informed by law enforcement or the landowner or landowner's agency that hunting dogs are not permitted on the property.

(c) A dog owner or handler shall ensure a dog they are using for the purpose of pursuing a coyote does not enter land posted in accordance with section 5201 of this title unless the dog owner or handler of the hunting dog has obtained a courtesy permission card from the landowner or landowner's agent allowing the pursuit of coyote with the aid of dogs on the land.

(d) (1) For a first offense, a person who violates this section shall have committed a minor fish and wildlife violation and shall be assessed a five-point violation under subdivision 4502(b)(1) of this title.

(2) For a second or subsequent violation of this section, a person shall be assessed a 10-point violation under subdivision 4502(b)(2) of this title and shall be fined under section 4515 of this title.

Sec. 2. MORATORIUM ON HUNTING COYOTE WITH AID OF DOGS

(a) A person shall not pursue coyote with the aid of dogs, either for the

training of dogs or for the taking of coyote, except that a person may pursue coyote with the aid of dogs in defense of a person or property if the person pursuing coyote with the aid of dogs:

(1) is the landowner; or

(2) has obtained a courtesy permission card from the landowner or landowner's agent allowing the release of a dog onto the land for the purpose of pursuing coyote with the aid of dogs.

(3) A person who pursues coyote with the aid of dogs under this section shall be required to demonstrate the existence of a threat to a person or property.

(b) (1) For a first offense, a person who violates this section shall have committed a minor fish and wildlife violation and shall be assessed a five-point violation under subdivision 4502(b)(1) of this title.

(2) For a second or subsequent violation of this section, a person shall be assessed a 10-point violation under subdivision 4502(b)(2) of this title and shall be fined under section 4515 of this title

- (c) This section shall be repealed on the effective date of the Fish and Wildlife Board rules required by Sec. 3 of this act.

Sec. 3. FISH AND WILDLIFE BOARD RULES: PURSUING COYOTE WITH THE AID OF DOGS

(a) The General Assembly through the rules required under this section intends to reduce conflicts between landowners and persons pursuing coyote with the aid of dogs by reducing the frequency that dogs or persons pursuing coyote enter onto land that is posted against hunting or land where pursuit of coyote with dogs is not authorized. In addition, the General Assembly intends that the rules required under this section support the humane taking of coyotes, the management of the population in concert with sound ecological principles, and the development of reasonable and effective means of control.

(b) The Fish and Wildlife Board shall adopt a rule regarding the pursuit of coyote with the aid of dogs, either for the training of dogs or for the taking of coyote. The rule shall include at least the following provisions:

(1) a limit on the number of dogs that may be used to pursue coyote that shall not exceed two dogs;

(2) a prohibition on the substitution of any new dog for another dog during pursuit of a coyote;

(3) the legal method of taking coyote pursued with the aid of dogs, ~~such as~~ limited to rifle, muzzleloader, crossbow, or bow and arrow;

(4) a definition of control ~~to minimize the likelihood that dogs pursuing coyote enter onto land that is posted against hunting or land where pursuit of coyote with dogs is not authorized~~ that requires the dog to be within the vision of the dog owner or handler and under verbal control.

(5) a prohibition on the use of bait.

(6) required reporting of every coyote killed during pursuit with the aid of dogs.

(7) required identification on every dog that is readable from a distance of at least 50 feet and that will allow a landowner to identify the owner or handler of the dog.

(8) penalties for any instance in which a dog mauls or otherwise injures a coyote.

(9) penalties for any instance in which the dog owner or handler fails to, as soon as is reasonably possible, either retrieve the dogs in order to allow the coyote to escape or kill the coyote.

- (c) The Board shall consider whether to include within the rule required by this section provisions related to seasonal restrictions ~~and baiting~~.

Sec. 4. EFFECTIVE DATES

- (a) This section and Secs. 2 (moratorium on pursuing coyote with aid of dogs) and 3 (Fish and Wildlife Board Rules) shall take effect on passage.
- (b) Sec. 1 (permit requirement and prohibition on pursuing coyote with aid of dogs) shall take effect on the effective date of the Fish and Wildlife Board rules required under Sec. 3 of this act.